

COOLEY GODWARD LLP
THOMAS J. FRIEL, JR. (80065)
BRANDON BAUM (121318)
ANDREW KUMAMOTO (178541)
Five Palo Alto Square
3000 El Camino Real
Palo Alto, CA 94306-2155
Telephone: (650) 843-5000
Facsimile: (650) 857-0663

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Attorneys for Plaintiff
IP LEARN, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IP LEARN, LLC,

Plaintiff,

v.

SKILLSOFT CORPORATION, and
DOES 1-10,

Defendant.

No. 02 - 2632 RS

COMPLAINT FOR PATENT INFRINGEMENT

JURY DEMAND

Plaintiff IP Learn, LLC ("IP Learn") complains against defendant SkillSoft Corporation ("Defendant") as follows:

JURISDICTION

1. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. §271 et seq. The Court has subject matter jurisdiction of this action pursuant to 28 U.S.C. §1338(a).

INTRADISTRICT ASSIGNMENT

2. This patent action is in an excepted category for Local Rule 3-2(c), Assignment of a Division, and will be assigned on a districtwide basis.

THE PARTIES

3. Plaintiff IP Learn is a limited liability company organized under the laws of California, having its principal place of business in Santa Clara County, California.

4. Defendant is a corporation organized under the laws of Delaware, having its worldwide headquarters in Nashua, New Hampshire.

5. The true names or capacities, whether individual, corporate, associate, or otherwise, of defendants named as DOES 1 through 10 inclusive, are unknown to IP Learn, and IP Learn therefore sues these defendants by fictitious names. IP Learn will seek leave to amend this complaint to include the true names and capacities of the DOE defendants when ascertained.

THE PATENTS

6. United States Patent No. 6,126,448 ("the '448 patent") entitled "Computer-aided learning methods and apparatus for a job," was duly and legally issued on October 3, 2000, and was assigned to and is owned by IP Learn.

7. United States Patent No. 6,118,973 ("the '973 patent") entitled "Methods and apparatus to assess and enhance a student's understanding in a subject," was duly and legally issued on September 12, 2000, and was assigned to and is owned by IP Learn.

8. United States Patent No. 5,934,909 ("the '909 patent") entitled "Methods and apparatus to assess and enhance a student's understanding in a subject," was duly and legally issued on August 10, 1999, and was assigned to and is owned by IP Learn.

9. United States Patent No. 5,779,486 ("the '486 patent") entitled "Methods and apparatus to assess and enhance a student's understanding in a subject," was duly and legally issued on July 14, 1998, and was assigned to and is owned by IP Learn.

DEFENDANT'S INFRINGEMENT

10. On information and belief, Defendant, with full knowledge of IP Learn's rights, is infringing the '448 patent, the '973 patent, the '909 patent, and/or the '486 patent by making, offering for sale, selling, and using the inventions patented in the '448 patent, the '973 patent, the '909 patent, and the '486 patent within the United States and/or importing into the United States inventions patented in the '448 patent, the '973 patent, the '909 patent, and/or the '486 patent.

11. On information and belief, Defendant, with full knowledge of IP Learn's rights, is inducing the infringement of, or contributorily infringing, the '448 patent, the '973 patent, the '909 patent, and/or the '486 patent, by inducing others to make, sell, and/or use those inventions in the

1 United States, or by contributing to the infringement by others of the '448 patent, the '973 patent,
2 the '909 patent, and/or the '486 patent.

3 12. On information and belief, Defendant's conduct described above constitutes willful
4 infringement of the the '448 patent, the '973 patent, the '909 patent, and/or the '486 patent.

5 13. On information and belief, Defendant will continue to infringe, induce the
6 infringement of, and contributorily infringe the '448 patent, the '973 patent, the '909 patent, and/or
7 the '486 patent unless enjoined by the Court.

8 14. IP Learn has been damaged by Defendant's infringement, inducement to infringe,
9 and contributory infringement, and is suffering and will continue to suffer damage and irreparable
10 harm as a result, unless Defendant is enjoined by the Court.

11 DEMAND

12 WHEREFORE, IP Learn prays for:

13 1. Judgment that the '448 patent, the '973 patent, the '909 patent, and/or the '486
14 patent are infringed by Defendant.

15 2. A preliminary and permanent injunction enjoining Defendant, its officers, agents,
16 servants, employees, and those persons acting in active concert or participation with them or any
17 of them from infringing, inducing the infringement, or contributorily infringing the '448 patent, the
18 '973 patent, the '909 patent, and/or the '486 patent.

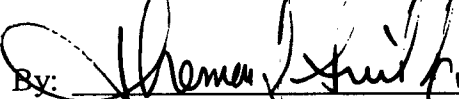
19 3. An accounting of damages arising out of Defendant's infringement, inducing the
20 infringement, and/or contributory infringement of the '448 patent, the '973 patent, the '909 patent,
21 and/or the '486 patent, and award of those damages together with interest, and a judgment that the
22 profits and damages so adjudged be trebled.

23 4. Judgment that IP Learn be awarded its attorneys' fees, costs, and expenses incurred
24 in this action.

1 Dated: May 31, 2002

2 Respectfully submitted,

3 COOLEY GODWARD LLP
4 THOMAS J. FRIEL, JR. (80065)

5 By: 
6 Thomas J. Friel, Jr.

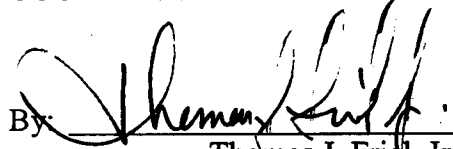
7 Attorneys for Plaintiff
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JURY DEMAND

Plaintiff respectfully requests a jury trial on all issues triable thereby.

Dated: May 31, 2002

COOLEY GODWARD LLP

By: 

Thomas J. Friedl, Jr.

Attorneys for Plaintiff
IP Learn, LLC